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20 Attorneys for Plaintiff
21 Inna Vigdorchik

22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 INNA VIGDORCHIK, on behalf of herself) Case No. C07-0736 MMC
25 and all others similarly situated,)
Plaintiff,) CLASS ACTION
v.)
CENTURY THEATRES, INC., and) **JOINT STIPULATION AND**
CINEMARK USA, INC.) **[PROPOSED] ORDER TO STRIKE**
Defendants.) **PORTIONS OF FIRST AMENDED**
) **COMPLAINT**
) [15 U.S.C. §§ 1681 *et seq.*]
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28 JOINT STIPULATION AND [PROPOSED]
ORDER TO STRIKE PORTIONS OF FIRST
AMENDED COMPLAINT

Case No. C 07-0736 MMC

STIPULATION

WHEREAS, on February 5, 2007, Plaintiff Inna Vigdorchik (“Plaintiff”) filed her Complaint against Defendants Century Theatres, Inc. and Cinemark USA, Inc. (“Defendants”), alleging, among other things, that Defendants violated certain provisions of the Fair Credit Reporting Act, as amended by the Fair and Accurate Credit Transactions Act;

WHEREAS, on April 25, 2007, Plaintiff filed a First Amended Complaint;

WHEREAS, Defendant Cinemark USA, Inc. was dismissed from the lawsuit;

9 WHEREAS, on May 15, 2007, Defendant Century Theatres, Inc. filed an
10 Answer to the First Amended Complaint;

11 WHEREAS, Defendant Century Theatres, Inc. contends that Plaintiff is not
12 entitled to any relief for her claim(s) that Defendants unlawfully printed the last five
13 digits of credit and debit card numbers on transaction receipts;

14 **NOW THEREFORE**, Plaintiff and Defendant Century Theatres, Inc. stipulate
15 and agree that any reference to Defendants' having unlawfully printed "more than the
16 last five digits" of any card number on a transaction receipt be stricken, and specifically,
17 to strike the following portions of the First Amended Complaint:

1. Paragraph 3, the phrase “. . . more than the last five digits of the card number and/or . . .”
2. Paragraph 13, CLASS A, the phrase “. . . more than the last five digits of the person’s credit card or debit card number and/or printed . . .”
3. Paragraph 13, CLASS B, the phrase “. . . more than the last five digits of the person’s credit card or debit card number and/or printed . . .”
4. Paragraph 21(a), the phrase “. . . more than the last five digits of the credit card or debit card and/or . . .”
5. Paragraph 31, the phrase “. . . more than the last five digits of such member’s credit or debit card number and/or. . .”

1 6. Paragraph 32, the phrase “. . . member, more than the last five digits of
2 such member’s credit or debit card number and/or.”
3 7. Paragraph 36, the phrase “. . . more than five digits of the card number
4 and/or. . .”
5 8. Paragraph 37, the phrase “. . . more than the least [sic] five digits of the
6 card number and/or. . .”

7 **IT IS SO STIPULATED.**

8 September 27, 2007

9 **KELLER GROVER LLP**

10 By: _____/s/
11 Eric A. Grover
12 Denise L. Díaz
13 Attorneys for Plaintiff
14 INNA VIGDORCHIK

15 September 27, 2007

16 **AKIN GUMP STRAUSS HAUER &
17 FELD LLP**

18 By: _____/s/
19 Reginald D. Steer
20 Chad A. Stegeman
21 Attorneys for Defendant
22 CENTURY THEATRES, INC.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the following portions of Plaintiff's First Amended Complaint are hereby stricken as follows:

1. Paragraph 3, the phrase “. . . more than the last five digits of the card number and/or . . .”
2. Paragraph 13, CLASS A, the phrase “. . . more than the last five digits of the person’s credit card or debit card number and/or printed . . .”
3. Paragraph 13, CLASS B, the phrase “. . . more than the last five digits of the person’s credit card or debit card number and/or printed . . .”
4. Paragraph 21(a), the phrase “. . . more than the last five digits of the credit card or debit card and/or. . .”
5. Paragraph 31, the phrase “. . . more than the last five digits of such member’s credit or debit card number and/or. . .”
6. Paragraph 32, the phrase “. . . member, more than the last five digits of such member’s credit or debit card number and/or.”
7. Paragraph 36, the phrase “. . . more than five digits of the card number and/or. . .”
8. Paragraph 37, the phrase “. . . more than the least [sic] five digits of the card number and/or. . .”

IT IS SO ORDERED.

DATED: September 28, 2007

Maxine M. Chayen
The Honorable Maxine M. Chayen